



1645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION Of:

Motonao NAKAO, *et al.*

U.S. Serial No.: 10/020,721

Filed: December 14, 2001

For: DETECTION METHOD AND  
DETECTION KIT FOR PCR-AMPLIFIED  
BASE SEQUENCES

) Group Art Unit: 1645

) Examiner: To Be Assigned

) Certificate of Mailing

) I, Karyn F. Massie, hereby certify that this paper or fee is  
) being deposited with the United States Postal Service First  
) Class Mail, postage prepaid, to Addressee under 37 C.F.R. §  
) 1.8 on the date indicated below and is addressed to: Assistant  
) Commissioner for Patents, Washington, DC 20231.  
) September 27, 2002.

) By: Karyn F. Massie  
) Karyn F. Massie

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL LETTER

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Transmitted herewith for filing are the following:

1. Reply/Amendment/Letter transmittal (in duplicate);
2. Response to Restriction Requirement; and
3. Return Postcard.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: 9/27/02

Robert M. Bedgood  
Robert M. Bedgood, Ph.D.  
Reg. No. 43,488

Please send all correspondence to:  
11682 El Camino Real, Suite 200  
San Diego, CA 92130  
Telephone: (619) 234-5000  
Facsimile: (858) 509-4010  
Direct Line: (858) 509-4065

**CERTIFICATE OF MAILING**



I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being mailed via "U.S. First Class Mail to Addressee" on September 27, 2002 in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

By: Karyn F. Massie  
Karyn F. Massie

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Inventor(s): NAKAO, et al.  
Appl. No.: 10/

020,721

Group Art Unit: 1645  
Examiner: To Be Assigned  
Atty. Dkt. P: 033808/0 PH-1431US  
27

Series Code ↑

Serial No. ↑

Filed: December 14, 2001

Hon. Commissioner of Patents  
Washington, D.C. 20231

Appl. Title: DETECTION METHOD AND  
DETECTION KIT FOR PCR-AMPLIFIED  
BASE SEQUENCES

Sir:

**REPLY/AMENDMENT/LETTER**

Date: September 27, 2002

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

**FEE REQUIREMENTS FOR CLAIMS AS AMENDED**

1. Small Entity claim

A. ☒ NOT made  
B. ☐ Withdrawn  
C. ☐ made herewith  
D. ☐ made previously

For B & C  
See Required  
Separate Paper  
(Pat-256)

Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code Lg/Sm
2. Total Effective Claims	4	**minus 20 0	x \$18/\$9 =	+ \$0	103/203
3. Independent Claims	1	***minus 3 0	x \$84/\$42 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application)..... add			+ \$280/\$140 =	+ \$0	104/204
5. Original due Date: October 10, 2002	<input type="checkbox"/> NONE				
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached	(1 mo) \$110/\$55 = (2 mos) \$400/\$200 = (3 mos) \$920/\$460 = (4 mos) \$1,440/\$720 = (5 mos) \$1,960/\$980 =	+ \$0			115/215 116/216 117/217 118/218 128/228
7. Enter any previous extension fee paid since above original due date and subtract		- \$0			
8.		Extension Fee	+ \$0		
9. If Terminal Disclaimer attached, add Rule 20(d) official fee .....		+ \$110/\$55	+ \$0		148/248
10. If IDS attached requires Official Fee under Rule 97 (c), ..... add		+ \$180	+ \$0		126
or if Rule 97(d) Request ..... add		+ \$180	+ \$0		126
11. After-Final Request Fee per rules 129(a) and 17(r) .....		+ \$740/370	+ \$0		146/246
12. No. of additional inventions for examination per Rule 129(b) .....		x \$740/370 ea	+ \$0		149/249
13. Request for Continued Examination (RCE) .....		+ \$740/370	+ \$0		1179/1279
14. Petition fee for .....			+ \$0		
<b>TOTAL FEE =</b>				<b>\$0</b>	

15.

16. \*If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. \*\*If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. \*\*\*If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

Our Deposit Account No. 03-3975)

(Our Order No. 033808 0272535  
C# M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

11682 El Camino Real, Suite 200  
San Diego, CA 92130-2092  
Tel: (619) 234-5000

Pillsbury Winthrop LLP  
Intellectual Property Group

By Atty: Robert M. Bedgood, Ph.D.

Reg. No. 43,488

Sig: 

Fax: (858) 509-4010

Tel: (858) 509-4065

Atty/Sec: RMB/kfm

**NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments**



#5  
DB  
10/5/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: NAKAO, et al.

Serial No: 10/020,721

Filed: December 14, 2001

Title: DETECTION METHOD AND  
DETECTION KIT FOR PCR-  
AMPLIFIED BASE SEQUENCES

) Examiner: Not Yet Assigned

) Art Unit: 1645

) Certificate of Mailing

) I, Karyn F. Massie, hereby certify that this paper  
) and all marked attachments are being deposited  
) with the United States Postal Service as first  
) class mail in an envelope addressed to:  
) Commissioner of Patents, Washington D.C.  
) 20231 on September 27, 2002

) By: Karyn F. Massie  
) Karyn F. Massie

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT UNDER 35 U.S.C. 121

Sir:

In response to the Office Action dated September 10, 2002, Applicants elect Group I, claims 1-4, drawn to method of detecting PCR-amplified base sequences, for prosecution in the above-entitled application.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Robert M. Bedgood  
Robert M. Bedgood, Ph.D.  
Registration No. 43,488  
Agent for Applicant

11682 El Camino Real  
Suite 200  
San Diego, CA 92130  
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